

REMARKS**A. Status of the Specification**

As requested by the Examiner, Applicants have updated the claim to priority in the line of text to be inserted right before the first line of the specification. The updated version is shown on page 5 of this paper.

B. Status of the Claims and Explanation of the Amendments

Prior to the submission of this paper, claims 1 and 19-41 were pending. In this paper, Applicants have requested the cancellation of claims 1, 34 and 36-41. Accordingly, claims 19-33, and 35 are currently presented for examination.

Claims 25, 26, and 39 stand rejected under 35 U.S.C. §112, ¶2, as allegedly being indefinite for failing to point out and distinctly claim the invention. The Examiner notes that there is no antecedent basis for “the surfactant” as recited in claims 25 and 26. In response, Applicants have amended claim 25 so that it depends from claim 24, as suggested by the Examiner. With respect to claim 39, the rejection under 35 U.S.C. §112, ¶2 is moot, because Applicants have requested the cancellation of the claim in this paper.

Claim 1 has been rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over U.S. Patent No. 6,627,187. In response, Applicants have requested the cancellation of claim 1, rendering the rejection moot.

Claims 1 and 35 have been rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over U.S. Patent No. 6,277,367. As noted in the preceding paragraph, Applicants have requested the cancellation of claim 1. Also, Applicants have incorporated elements of claim 34 (which was deemed allowable) into claim 35. Accordingly, Applicants respectfully submit that claim 35 is now

allowable, and request reconsideration and withdrawal of the obviousness-type double patenting rejection of claim 35.

Claim 1 was also rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over U.S. Patent No. 6,120,761. As before, the rejection is moot, because Applicants have requested the cancellation of claim 1 in this paper.

Claims 1, 19-33, and 35-40 stand rejected under 35 U.S.C. §102(b) for allegedly being unpatentable over U.S. Patent No. 4,992,419 to Woog et al. (“Woog”). Claims 1 and 35 stand rejected under 35 U.S.C. §102(e) as allegedly being unpatentable over U.S. Patent No. 5,691,312 to Paques et al. (“Paques”).

In response to these rejections, Applicants again note that claim 1 and claims 21-29 have been cancelled, so that the rejections of these claims are moot. Moreover, Applicants have amended claims 19 and 35 such that they include the claim elements of allowable claim 34. Accordingly, Applicants respectfully submit that claim 19 and its dependent claims (claims 20-33) are in condition for allowance. Similarly, claim 35 is in condition for allowance. Reconsideration and withdrawal of the rejections of claims 19-33 and 35 are respectfully requested.

CONCLUSION

Based on the foregoing amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the rejection of claims and allowance of this application.

AUTHORIZATION

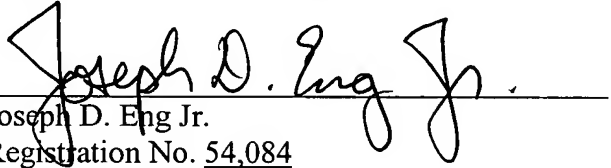
The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 0263-4045US3. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 0263-4045US3. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: May 18, 2005

By: _____


Joseph D. Eng Jr.
Registration No. 54,084

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101
(212) 415-8700 Telephone
(212) 415-8701 Facsimile